

AQAA
DAR COUNCIL ACTIVITY REPORT
11 December 1996

FAR/DFARS Cases Discussed:

96-610	Implementation of Executive Order 12933 (Nondisplacement of Qualified Workers Under Certain Contracts): Requires that certain solicitations and contracts for maintenance of public buildings include the clause prescribed in the E.O., which requires that workers on certain building service contracts be given the right of first refusal for employment with the successor contractor, if they would otherwise lose their jobs as a result of the termination of the contract.	Agreed to draft interim rule.
96-022	SF 1406 Update: Removes obsolete references to military quality specifications on the SF 1406, Preaward Survey of Prospective Contractor Quality Assurance, to conform with earlier changes to the DFARS (Case 95-D007) and pending changes to the FAR (Case 96-009). Generally updates language relating to quality. [Proposed by DLA and Air Force.]	Sent back to Cmte to resolve conflicts in terminology.
95-011	Subcontract Consent (PAT): Revises FAR to delete the subcontract consent requirement, unless specifically required by the contracting officer. CAAC had problem with wording of clause Alternate IV.	Agreed to revised proposed rule; deleted Alternate IV.
96-608	Less-Than-Carload Lots: Addresses FAR changes proposed by Federal Prison Industries (FPI) that FAR 8.6 should be revised to clarify that FPI has an absolute priority for supplies they produce, in particular, that less-than-carload lots still need to be for FPI items, albeit FPI items stocked by GSA warehouses.	Agreed to draft proposed rule, with minor edits.
95-020	Costs Related to Legal/Other Proceedings: Revises FAR to clarify whether or not FAR 31.205-47 applies to qui tam actions that are not joined by the Government.	Agreed to convert proposed rule to final rule with no changes.
96-D324	Small Arms Purchases: Implements Section 832, PL 104-201, which provides authority to limit procurement of repair parts modifications of small arms used by the Armed Forces to companies within the small arms production industrial base.	Sent back to Army for further clarification.
96-D020	Duty-Free Entry: Eliminates inconsistencies and provides clarification on duty-free entry.	Agreed to draft proposed rule, subject to reclama by 12/18/96.
95-311	Service Contracting: Implements OFPP Policy Letter 91-2, Service Contracting.	No reclama comments received. No change to final rule, as edited.
96-314	Procurement Integrity: Implements section 4304 of FY96 Defense Authorization Act, which revises section 27 of the OFPP Act. Revises FAR to implement revisions made to section 27 of the OFPP Act.	AF reclama comments discussed. Minor clarification of draft final rule.

NOTE: Dr. Kelman, OFPP, plans to notify Congress that he will not meet the statutory implementation dates for FAR Case 96-303, Competitive Range Determinations, and FAR Case 96-308, Commercially Available Off-The Shelf (COTS) Items, because of concerns raised by small business and labor.